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IN SIGHT for Oregon Lawyers and Judges

IMPROVING THE QUALITY OF YOUR PERSONAL AND PROFESSIONAL LIFE

LAWYERS AT RISK FOR COMPASSION FATIGUE

Compassion fatigue has been defined as the cumulative physical, emotional, and psychological effects of continual exposure to traumatic experiences suffered by another while working in a professional helping capacity. The symptoms are similar to posttraumatic stress disorder (e.g., severe anxiety, intrusive thoughts of traumatic event, nightmares, burnout, and cynical world view). A study of the impact of compassion fatigue/secondary trauma on the lawyers and administrative support staff of the Wisconsin State Public Defender Office (SPD) was published in December 2011.*

The study found that the factors of caseload and exposure to other people's trauma were clearly related to symptoms of compassion fatigue. Three other factors that study participants noted as contributing to experiences of compassion fatigue were (1) lack of respect from the public and other lawyers for the work they did, (2) lack of control in one's work life, and (3) lack of enough time to process issues and give or get support.

Specific Findings of This Study

Depression (depressed mood, loss of interest or pleasure, disturbed sleep, loss of appetite, low energy, poor concentration, feelings of guilt or low self-worth):

- General population: 10%
- SPD administrative support staff: 19.3%
- SPD attorneys: 39.5%

Functional Impairment (the extent to which exposure to traumatic material negatively impacts functioning in work, recreation, and home life):

- SPD support staff: 27.5%
- SPD attorneys: 74.8%

Compassion Fatigue/Secondary Traumatic Stress (the negative impact of caring about another person who has experienced trauma):

- SPD support staff: 10.1%
- SPD attorneys: 34%

Burnout (job-induced physical, emotional, or mental exhaustion combined with doubts about one's competence and the value of one's work):

- SPD support staff: 8.3%
- SPD attorneys: 37.4%

Linda Albert, Coordinator of the Wisconsin Lawyers Assistance Program and a cofacilitator of the study, observed that it is a testament to the resilience of the lawyers and staff who participated in the study that they continue to meet the requirements of their employment despite that they endure ongoing exposure to trauma and have heavy caseloads. "It's amazing that they do. They are handling the demands of the job but not easily and not without it having an impact on their lives."

Observations of Lawyers and Judges

● "Many of us who have been around for a while know there can be a cost, emotionally and psychologically, to doing this kind of work. Even for lawyers who know how to maintain an appropriate professional demeanor and distance, this stuff seeps in. It changes

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your perspective of the world.” *Director of assigned counsel for SPD*

- “Our clients have a lot of trauma in their lives: poverty, lack of education, homelessness, mental health and substance abuse issues. . . . You absorb that on a day-to-day basis, and you take it home with you. It can make you irritable and short-fused with your family.” *Attorney with 22 years’ experience as a public defender*

- A retired deputy district attorney recounted that during her 27 years of practice she regularly saw horrifying evidence of what one human did to another. Those disturbing images often lingered and intruded into her thoughts away from work and even now in retirement. “To this day when I go past a place where a homicide occurred that I prosecuted, I think about it, every time. I drive past and think, ‘That’s where Sarah was killed.’” *Retired deputy district attorney*

- “Lawyers need to know that what they’re feeling is real, and that it’s something they can discuss – that they don’t have to feel embarrassed or ashamed for feeling this way.” *Attorney with 22 years’ experience as a public defender*

- “Attorneys are much more closely related to the facts of the case for a much longer period of time than are judges. Still, judges sit on the bench day in and day out hearing about the incidents of trauma inflicted or endured by people in their courtrooms. I can sit here now and call up in my mind with great accuracy all the autopsy photos I’ve ever seen.” *Circuit court judge who has spent eight years on the bench*

Vicarious trauma and compassion fatigue are not just issues for public defenders; they are issues for the broader legal profession. There is a large community of lawyers and judges who deal with clients and individuals who have experienced trauma. It is critical for these lawyers and judges to be aware of the potential risks of regular exposure to traumatized clients and individuals and to learn and proactively practice strategies that have proven effective in preventing and mitigating compassion fatigue.

Compassion fatigue is not inevitable if you take steps to prevent it. See the box below on Coping with Compassion Fatigue. In addition, the OAAP and the Oregon Criminal Defense Lawyers Association are co-

Coping with Compassion Fatigue

Exposure to clients’ trauma isn’t going to stop. But you can mitigate the effects this exposure has on you. Here are a few strategies.

- **Debrief.** Talk with another lawyer who understands what you’re going through and can offer support. Debriefing can become a part of the office culture. Remember, this is a discussion about how the case is affecting you as a person, not a rehashing of legal strategies.
- **Take care of yourself.** Eat healthy foods. Exercise regularly. Get enough sleep. Learn relaxation techniques so you can let go of stress and disturbing, repetitive thoughts. Know what truly brings you joy in life and make time for it.
- **Strive for balance and interconnection.** Give up the urge to be all things to all people, including clients. Allow time to connect with friends and family to counterbalance the stresses you feel at work and put everything back in perspective.
- **Come up with a plan.** When compassion fatigue is weighing on you, it can be difficult to get off the treadmill and set a new course. Stop long enough to notice how you’re feeling, reacting, and behaving at work and at home. Develop a plan of action for yourself. What needs to change? Where can you start?
- **Seek help.** If you think compassion fatigue is interfering with your work or personal life, reach out for help. A good place to start is the OAAP, at 1-800-321-6227. Or contact Mike Long at 503-226-1057, ext. 11, or at mikel@oaap.org.

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sponsoring upcoming compassion fatigue prevention trainings in various cities throughout Oregon. See the box on this page for more information.

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